IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINETEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 10166 of 2004

Between:

K.Venkateswara Reddy, s/o.Konda Reddy,
R/o.5-11-16, Israilpet, Guntur.

..... PETITIONER

AND

The Secretary, Regional Transport Authority,Guntur Dist.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court be pleased to issue a writ or order direction more particularly one in the nature of writ of mandamus, declaring the action of the respondent in not permitting to ply my vehicle bearing Registration No.AP 07 T 6179 with National permit for a period of 3 months as illegal, arbitrary and unconstitutional and consequently direct the respondent to permit my vehicle to ply for a period of 3 months for replacing the new vehicle in the interest of justice.

Counsel for the Petitioner:MR.B.CHANDRA SHEKHAR

Counsel for the Respondents: GP FOR TRANSPORT

The Court made the following :

ORDER:

Heard the learned Counsel for the petitioner and the learned Government Pleader for Transport.

In this Writ Petition, by way of Writ of Mandamus, the petitioner is seeking to assail the action of the respondent in not permitting to ply his vehicle bearing No.AP 07 T 6179 with the national permit for a period of three months.

The question involved in this Writ Petition is squarely covered by the orders of this Court in W.P.No.17841 of 2002 dated 18-09-2002. There is no dispute in regard to the fact that the petitioner in this Writ Petition is the national permit authorization holder.

In view of the above and following the said decision of this Court, the Writ Petition is allowed, granting three months time from today to replace the vehicle in question. Till then, the petitioner is permitted to ply the present vehicle, if it is in condition. No costs.

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B.PRAKASH RAO, J.

Dated 19-07-2004.

Note: Issue C.C. in one week.

B/O

SKMR

To

1. The Secretary, Regional Transport Authority,Guntur Dist.

2.2CCs to G.P. for Transport, High Court Buildings, Hyderabad, A.P.

(OUT).

3.2CD copies